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HARRISBURG  
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MARY E. D'ANDREA, CLERK  
Per ~~DEPUTY CLERK~~

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

CLEVELAND HANKERSON

vs.

DONALD ROMINE, Warden

: CIVIL NO. 1:CV-00-1836, USDC  
: CRIMINAL NO. 5:91-CR-10-MDGA

*James/Blawie*

EXHIBITS TO GOVERNMENT'S BRIEF IN RESPONSE TO  
PETITIONER'S MOTION PURSUANT TO 28 U.S.C. § 2241

DAVID M. BARASCH  
UNITED STATES ATTORNEY

MICHAEL T. SOLIS  
ASSISTANT UNITED STATES ATTORNEY  
GEORGIA STATE BAR NO. 666480  
433 Cherry Street  
Macon, GA 31202  
DULCE DONOVAN  
ASSISTANT UNITED STATES ATTORNEY  
Federal Building, Suite 217  
228 Walnut Street  
Harrisburg, PA 17108

Dated: November 20, 2000

## INDEX

Exhibit No.

# EXHIBIT 1

CRIMINAL DOCKET - U.S. District Court				U.S. VS. <b>HANKERSON, CLEVELAND a/k/a "HANK"</b>		Case Filed Mo. Day Yr. 2 14 91	Docket No. 00010 0																																																								
I. CHARGES	PO <input type="checkbox"/>	113G	5	Assigned JUVENILE ALIAS	Off. Judge/Magistr.	(LAST, FIRST, MIDDLE)																																																									
	Misd. <input type="checkbox"/>	113G 5 3G06		Disp./Sentence		OFFENSE ON INDEX CARD: "crack" & firearm possession																																																									
II. KEY DATE	U.S. TITLE/SECTION				OFFENSES CHARGED		ORIGINAL COUNTS																																																								
	21:846 i/c/w	Conspiracy to possess w/intent to distribute				1 1		DISM. <input type="checkbox"/>																																																							
	21:841(a)(1)	a SCH II CRTRL SUB, cocaine base (Ct. 1)				1 1		<input type="checkbox"/>																																																							
	21:841(a)(1)	Possession w/intent to distribute a SCH II				1 1		<input type="checkbox"/>																																																							
	& 18:2	CRTRL SUB, cocaine base (Ct. 2)				1 1		<input type="checkbox"/>																																																							
	18:924(c)(1)	Use of firearm during and in relation to a				1 1		<input type="checkbox"/>																																																							
	& 18:2	drug trafficking crime (Ct. 3)				1 1		<input type="checkbox"/>																																																							
18:922(g)(1)	Possession of firearm previously shipped and				1		<input type="checkbox"/>																																																								
	transported in interstate commerce by a						<input type="checkbox"/>																																																								
	convicted felon (Ct. 5)						<input type="checkbox"/>																																																								
SUPERSEDING COUNTS																																																															
INTERVAL ONE				END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)																																																											
KEY DATE 6-12-91 EARLIEST OF		arrest summons custody appears on complaint	KEY DATE 2-14-91 APPLICABLE	Indictment filed/unsealed consent to Magr. trial on complaint Information Felony-W/waiver	KEY DATE 7-10-91 4-18-91 10-31-91	a) <input type="checkbox"/> 1st appears on pending charge /R40 b) <input type="checkbox"/> Receive file R20/21 c) <input type="checkbox"/> Supsdg: <input type="checkbox"/> Indt: <input type="checkbox"/> Inf d) <input type="checkbox"/> Order New trial e) <input type="checkbox"/> Remand f) <input type="checkbox"/> G/P Withdrawn	END INTERVAL TWO																																																								
1st appears with or waives counsel	ARRAIGNMENT 7-10-91	1st Trial Ended	RE- TRIAL	2nd Trial Began	DISPOSITION DATE 12-11-91	SENTENCE DATE 4-16-92	PTD Nolle Pros.																																																								
FINAL CHARGES DISMISSED <input type="checkbox"/> on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP <input type="checkbox"/> on <input type="checkbox"/> mo <input type="checkbox"/> on <input type="checkbox"/> mo <input type="checkbox"/> on <input type="checkbox"/> mo																																																															
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IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.				Release Date <input type="checkbox"/> Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> Pers. <input type="checkbox"/> PSA AMOUNT SET <input type="checkbox"/> Conditions Date Set <input type="checkbox"/> 10% Due <input type="checkbox"/> Surety <input type="checkbox"/> Collate <input type="checkbox"/> 3rd Pmt <input type="checkbox"/> Other																																																											
MICHAEL T. SOLIS, Asst.				POST- INDICTMENT <input type="checkbox"/> Release Date <input type="checkbox"/> Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> Pers. <input type="checkbox"/> PSA AMOUNT SET <input type="checkbox"/> Conditions Date Set <input type="checkbox"/> 10% Due <input type="checkbox"/> Surety <input type="checkbox"/> Collate <input type="checkbox"/> 3rd Pmt <input type="checkbox"/> Other																																																											
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P.O. Box U Macon, GA 31202 912/752-3511 Judge: WDO Court Reprtr: FBR				Randall Russell Atty at Law Suite-905,- Fulton-Fed.- Bldg. 544 Mulberry St. Macon, GA 31201 912-743-8352																																																											
Deft.'s Address Reg. No. 83507-020 P.O. Box 1000 Lewisburg, PA 17837-1000				3370 Vineville Ave., Ste. 102 Macon, GA 31204 912/471-9509																																																											
FINE AND RESTITUTION PAYMENTS				Docket Entries Begin On Reverse Side																																																											
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## MASTER DOCKET

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

U.S. vs

JAMES EDWARD COLBERT; JIMMY BERNARD  
BARKLEY; TROY LEE BROWN; and  
CLEVELAND HANKERSON

CR-91-10-MAC(V)

AO 256A

Yr. Docket No. Def.

DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a) (b) (c) (d)
<u>1991</u>				
Feb 14	1	ALL DEFTS	INDICTMENT filed in 3 Counts.	cal
Feb 14	2	ALL DEFTS	JUROR INFORMATION QUESTIONNAIRE mailed to all jurors on the panel.	cal
Feb 14	-	COLBERT	WARRANT Issued.	cal
Feb 14	-	BARKLEY	WARRANT Issued.	cal
Feb 14	-	BROWN	WARRANT Issued.	cal
Feb 14	-	HANKERSON	WARRANT Issued.	cal
Mar 15	3	GOVT	MOTION for a Detention Hrg. as to Deft. BARKLEY.	cal
Mar 18	4	WDO	ORDER Granting Govt.'s Motion for a Detention Hrg. as to Deft. BARKLEY.	cal
Mar 18	5	COLBERT	"RULE 40" Magistrate Papers received from the Southern District of Florida-West Palm Beach: (a) Docket Sheet (b) Court Minutes (c) Order on Initial App. (d) Order Appointing Fed. Public Defender (e) Warrant of Removal (f) Pre-Trial Detention Order	cal
Mar 18	6	BARKLEY	INITIAL APPEARANCE HRG. held before Mag. Claude W. Hicks, Jr. Deft. informed of charges against him and of maximum possible penalty. Motion for Pretrial Detention Granted. ARRAIGNMENT - Deft. WAIVED formal reading of indictment and entered a plea of NOT GUILTY in writing. Standard Pretrial Order to be entered by court. Minute Sheet filed.	cal
Mar 18	7	CWH	ORDER of Detention Pending Trial, as to Deft. BARKLEY.	cal
Mar 18	8	CWH	ORDER - Standard Pretrial Order, as to Deft. BARKLEY.	cal
Mar 21	-	COLBERT	RETURN on Warrant, indicating Deft. arrested 2-26-91.	cal
Mar 21	9	BARKLEY	MOTION for Discovery Under Rule 16.	cal

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

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U.S. vs. JAMES EDWARD COLBERT; JIMMY BERNARD  
BARKLEY; TROY LEE BROWN; and CLEVELAND HANKERSON

CR-91-10-MA

DATE	(Document No.)	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
<u>1991</u>						
Mar 27	10 COLBERT	ARRAIGNMENT held before Mag. Claude W. Hicks, Jr. Deft. waived formal reading of indictment and entered a plea of NOT GUILTY. Standard Pretrial Order to be entered by court.				
Mar 27	11 CWH	ORDER(CWH) Standard Pretrial Order, as to Deft. COLBERT.	cal			
Mar 29	-- BARKLEY	RETURN on Warrant, indicating Deft. arrested 3/14/91.	cal			
Mar 29	12 COLBERT	MOTION for Discovery.	cal			
Apr 2	13 COLBERT	MOTION for Detention Hearing and Memorandum of Law in Support Thereof.	cal			
Apr 10	14 GOVT	MOTION for a Detention Hrg., as to Deft. COLBERT.	cal			
Apr 10	15 CWH	ORDER(CWH) Granting Continuance of Deft. COLBERT's Detention Hrg.	cal			
Apr 18	16 ALL DEFTS	<u>SUPERSEDED INDICTMENT filed in 4 counts.</u>	cal			
May 1	17 GOVT	MOTION for a Detention Hrg., as to Deft. COLBERT.	cal			
May 1	18 COLBERT	PRETRIAL DETENTION HRG. held before Mag. Claude W. Hicks, Jr. Motion for Pretrial Detention filed in writing by Govt. Motion Granted. Pretrial Detention Ordered. Minute Sheet filed.	cal			
May 1	19 COLBERT	WITNESS SHEET from Detention Hrg.	cal			
May 1	20 COLBERT	EXHIBIT LIST and attached Govt. exhibits 1-5 from Detention Hrg.	cal			
May 1	21 CWH	ORDER(CWH) of Pretrial Detention, as to Deft. COLBERT.	cal			
May 7	22 BARKLEY	ENTRY of Appearance of Atty. Randy E. Wynn.	cal			

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UNITED STATES DISTRICT COURT  
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BARKLEY: TROY LEE BROWN: and  
CLEVELAND HANKERSON

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CR-91-10-MAC (WD  
Yr. Docket No. Def

DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
	(Document No.)			
<u>1991</u>				
May 30	23	BARKLEY	MOTION Reserving the Right to File Additional Motions.	cal
May 30	24	BARKLEY	BRIEF in Support of Motion Reserving the Right to File Additional Motions.	cal
May 30	25	BARKLEY	MOTION to Preserve Evidence and Memorandum in Support Thereof.	cal
May 30	26	BARKLEY	MOTION Pursuant to Brady vs. Maryland and General Discovery Motion.	cal
May 30	27	BARKLEY	BRIEF and Memorandum in Support of Motion for Discovery and Inspection.	cal
May 30	28	BARKLEY	MOTION for Early Disclosure of Jencks Act Material.	cal
May 30	29	BARKLEY	BRIEF in Support of Motion for Early Disclosure of Jencks Act Material.	cal
May 31	30	GOVT	CONSOLIDATED RESPONSE to Deft. BARKLEY'S Pretrial Motions.	cal
Jun 5	31	GOVT	MOTION for Continuance of trial.	cal
Jun 5	32	WDO	ORDER(WDO) Granting Continuance of trial.	cal
Jun 7	33	GOVT	WRIT(HCAP) for production of Deft. HANKERSON at his initial appearance June 19, 1991.	cal
Jun 17	34	BARKLEY	MOTION for Bill of Particulars.	cal
Jun 17	35	BARKLEY	MEMORANDUM in Support of Motion for Bill of Particulars.	cal
Jun 17	36	BARKLEY	MOTION for Order Dismissing the Indictment or in the Alternative, for Severance of the Defts.	cal
Jun 17	37	BARKLEY	MEMORANDUM in Support of Motion to Dismiss the Indictment or in the Alternative for Severance of Defts.	cal
Jun 17	38	BARKLEY	PETITION for Setting of Bond.	cal
Jun 17	39	BARKLEY	MOTION for a List of Govt. Witnesses and Memorandum in Support Thereof.	cal

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UNITED STATES DISTRICT COURT  
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TROY LEE BROWN and CLEVELAND HANKERSON

CR-91-10

DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
	(Document No.)			
<u>1991</u>				
Jul 1	40 GOVT	RESPONSE to Deft. BARKLEY's Motion for List of Govt. Witnesses.		cal
Jul 3	41 GOVT	RESPONSE to Deft. BARKLEY's Petition for Setting Bond.		cal
Jul 3	42 GOVT	RESPONSE to Deft. BARKLEY's Motion to Dismiss or in the Alternative Sever the Defts.		cal
Jul 3	43 GOVT	RESPONSE to Deft. BARKLEY's Motion for Bill of Particulars.		cal
Jul 8	44 HANKERSON	MAGISTRATE Papers from USDC, Southern District of FL. Deft. waived hrg.; wishes to have hrg. in MDGA; Deft. remanded to custody of Marshal w/no bond.		cal
Jul 10	45 HANKERSON	INITIAL APPEARANCE HRG. prev. held in S. Dist. of FL. Deft. appeared before Mag. Claude W. Hicks, Jr. Motion for Pretrial Detention filed by Govt. Hrg. cont'd until July 15, 1991. ARRAIGNMENT - Deft. waived formal reading of indictment and entered a plea of NOT GUILTY in writing. Standard Pretrial Order to be entered by court. Minute Sheet filed.		cal
Jul 10	46 GOVT	NOTICE of Estimated Sentencing Guideline Range, HANKERSON.		cal
Jul 10	47 GOVT	MOTION for a Detention Hrg., as to Deft. HANKERSON.		cal
Jul 10	48 CWH	ORDER(CWH) of Temporary Detention Pending Hrg.		cal
Jul 10	49 CWH	ORDER(CWH) Standard Pretrial Order, as to Deft. HANKERSON.		cal
Jul 15	50 HANKERSON	DETENTION HRG. held before Mag. Claude W. Hicks, Jr. ATF Agent spoke for Govt. Witness List. Deft. detained.		cal
Jul 15	51 CWH	ORDER(CWH) of Detention Pending Trial, as to Deft. HANKERSON.		cal
Jul 18	52 HANKERSON	LETTER for Discovery		cal
Aug 1	53 HANKERSON	MOTION for Continuance of trial		cal

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKETU.S. vs JAMES EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and CLEVELAND  
HANKERSON

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AO 256A \*

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DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a) (b) (c) (d)
<u>1991</u>				
Aug 2	54 WDO	ORDER(WDO) Granting Continuance of Deft. HANKERSON's trial.	cal	
Sept 23	55 BROWN	RULE 40 PAPERS received from the Southern District of FLA.	cal	
Oct 9	56 BROWN	ARRAIGNMENT held before Mag. Claude W. Hicks, Jr. Deft. WAIVED formal reading of indictment and entered a plea of NOT GUILTY in writing. Standard Pretrial Order to be entered by court. Minute Sheet filed.	cal	
Oct 9	57 BROWN	NOTICE of Estimated Sentencing Guideline Range.	cal	
Oct 9	58 CWH	ORDER(CWH) Standard Pretrial Order, as to Deft. BROWN.	cal	
Oct 29	59 COLBERT	MOTION to Suppress.	cal	
Oct 30	-- BROWN	RETURN on Warrant indicating Deft. arrested Sept. 11, 1991.	cal	
Oct 31	60 ALL DEFTS	<u>SECOND SUPERSEDING INDICTMENT</u> filed in 5 Counts.	cal	
Nov 4	61 GOVT	WRIT(HCAT) for production of Rodney Persons, material witness, trial set Nov. 18.	cal	
Nov 4	62 GOVT	WRIT(HCAT) for production of Greg Staten, material witness, trial set Nov. 18.	cal	
Nov 4	63 GOVT	WRIT(HCAT) for production of David Brown, Jr., material witness, trial set Nov. 18.	cal	
Nov 4	64 GOVT	WRIT(HCAT) for production of David Brown, III, material witness, trial set Nov. 18.	cal	
Nov 4	65 GOVT	WRIT(HCAT) for production of Jason Reynolds, material witness, trial set Nov. 18.	cal	
Nov 4	66 GOVT	WRIT(HCAT) for production of Shirley Boston, material witness, trial set Nov. 18.	cal	
Nov 6	67 HANKERSON	ARRAIGNMENT held before Mag. Claude W. Hicks, Jr. Deft. WAIVED formal reading of indictment and entered a plea of NOT GUILTY in writing. Minute Sheet filed.	cal	6

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UNITED STATES DISTRICT COURT  
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U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and  
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CR-91-10-MAC

DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
<u>1991</u>				
Nov 7	68	GOVT	RESPONSE to Deft. COLBERT's Motion to Suppress and Brief in Support Thereof.	cal
Nov 14	69	COLBERT	TRANSCRIPT (1 Vol.) of Testimony of Witnesses at Detention Hrg. held before Mag. Claude W. Hicks, Jr., in Macon, GA on May 1, 1991. (Frances B. Roquemore, Ct. Reprtr.)	cal
Nov 14	70	BROWN	VOIR DIRE Questions.	cal
Nov 14	71	BROWN	REQUEST to Charge.	cal
Nov 15	72	GOVT	INFORMATION Setting Forth Facts Concerning Previous Convictions of Deft. BROWN.	cal
Nov 15	73	ALL DEFTS	PRE-TRIAL HRG. held before Judge Wilbur D. Owens, Jr. Defts. did not change plea. Minute Sheet filed.	cal
Nov 22	74	HANKERSON	CONSENT to be Tried Within Thirty Days of Arraignment.	cal
Nov 25	75	GOVT	WRIT(HCAT) for production of Jason Reynolds as material witness at trial set for Dec. 9, 1991.	cal
Nov 25	76	GOVT	WRIT(HCAT) for production of David Brown, III as material witness at trial set for Dec. 9, 1991.	cal
Nov 25	77	GOVT	WRIT(HCAT) for production of Rodney Persons as material witness at trial set for Dec. 9, 1991.	cal
Nov 25	78	GOVT	WRIT(HCAT) for production of Greg Staten as material witness at trial set for Dec. 9, 1991.	cal
Dec 3	79	GOVT	VOIR DIRE Questions.	cal
Dec 3	80	GOVT	WRIT(HCAT) for production of Bruce Spivey as material witness at trial set for Dec. 9, 1991.	cal
Dec 3	81	COLBERT	MOTION TO SUPPRESS HRG. held before Judge Wilbur D. Owens, Jr., in Macon, GA. Motion denied. Minute Sheet filed.	cal
Dec 3	82	GOVT	EXHIBIT SHEET introduced at Suppression Hrg. and attached 4 exhibits.	cal

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U.S. vsJAMES EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and CLEVELAND  
HANKERSON

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AO 256A

Yr. Docket No. Def.

DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a) (b) (c) (d)
<u>1991</u>				
Dec 5	83	GOVT	REQUEST to Charge.	cal
Dec 5	84	COLBERT	VOIR DIRE Questions.	cal
Dec 9	85	WDO	ORDER(WDO) on Custody of Sensitive Exhibits.	cal
Dec 9	--	COLBERT, BARKLEY, BROWN, & HANKERSON	VOIR DIRE and JURY SELECTION.	cal
Dec 9	--	"	JURY TRIAL in Macon, GA before Judge Wilbur D. Owens, Jr. Trial began.	cal
Dec 10	--	"	JURY TRIAL, Day 2.	cal
Dec 11	--	"	JURY TRIAL, Day 3. Motion for Directed Verdict on Ct. 3 as to Colbert. Motion denied. Motion for Directed Verdict on Cts. 1, 2 & 3 as to Barkley. Motion Denied. Motion for Acquittal on Brown. Motion denied. Motion for Acquittal of Hankerson. Motion denied.	cal
Dec 11	86	COLBERT	VERDICT of GUILTY as to Cts. 1, 2, 3 & 4.	cal
Dec 11	86	BARKLEY	VERDICT of GUILTY as to Cts. 1, 2, & 3.	cal
Dec 11	86	BROWN	VERDICT of GUILTY as to Cts. 1, 2 & 3.	cal
Dec 11	86	HANKERSON	VERDICT of GUILTY as to Cts. 1, 2, 3, & 5.	cal
Dec 11	87	COLBERT, BARKLEY, BROWN, & HANKERSON	MINUTE SHEET filed of trial proceedings.	cal
Dec 11	88	"	GOVT. EXHIBIT LIST (Exhibits located in basement exhibit room)	cal
Dec 11	89	"	CASSETTE TAPES of Jury Charge as to December 11, 1991.	cal
<u>1992</u>				
Feb 14	90	ALL DEFTS.	TRANSCRIPT(1 Vol.) of Testimony of Witness Lashawn P. Reeves at Jury Trial held in Macon, GA before Judge Wilbur D. Owens, Jr. (Frances B. Roquemore, Ct. Reprtr.)	cal

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UNITED STATES DISTRICT COURT U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD  
 CRIMINAL DOCKET BARKLEY, TROY LEE BROWN and CLEVELAND  
 HANKERSON

AO 256A

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DATE (Document No.)	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
<u>1992</u>						
Apr 16	91 BARKLEY	SENTENCE: IMPRISONMENT: LIFE w/o parole on Ct. 1; LIFE w/o parole on Ct. 2, to run concurrently. 60 MONTHS on Ct. 3 to run consecutively for a total sentence of LIFE plus 60 months. Supervised Release: 20 years. Special Condition of Supervised Release: (1) Deft. shall participate in a program approved by the U.S. Probation Office of urinalysis testing and, if necessary, treatment for alcohol or drug dependency as directed by the U.S. Probation Office. Mandatory Assessment Fee: \$150. Court waives fine, as well as any alternative sanctions. Also waives additional fine requiring Deft. to pay cost of imprisonment and/or supervision fee.				
Apr 24	91 BARKLEY	JUDGMENT filed.	cal			
Apr 16	92 HANKERSON	SENTENCE: IMPRISONMENT: LIFE w/o parole on Ct. 1; LIFE w/o parole on Ct. 2; 10 YEARS on Ct. 5 to run concurrently with LIFE sentences imposed on Cts. 1 & 2. 5 YEARS, Ct. 3 to run consecutively to all other sentences imposed, for a total sentence of LIFE plus 5 yrs. Supervised Release: 10 years. Special Condition of Supervised Release: (1) Deft. shall participate in a program approved by the U.S. Probation Office of urinalysis testing and, if necessary, treatment for alcohol or drug dependency as directed by the U.S. Probation Office. Mandatory Assessment Fee: \$200. Court waives additional fine, as well as any alternative sanctions. Also waives additional fine requiring Deft. to pay cost of imprisonment and/ or supervision fee.	cal			
Apr 24	92 HANKERSON	JUDGMENT filed.	cal			

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U.S. vsJAMES EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and CLEVELAND  
HANKERSON

CR-91-10-MAC (WDO)

Yr. Docket No. Def.

AO 256A #

DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a) (b) (c) (d)
	(Document No.)			
<u>1992</u>				
Apr 24	93	HANKERSON	NOTICE of Appeal from final judgment and conviction.	cal
Apr 27	94	BARKLEY	NOTICE of Appeal from final judgment and conviction.	cal
Apr 16	95	BROWN	SENTENCE: IMPRISONMENT: LIFE w/o parole on Ct. 1; LIFE w/o parole on Ct. 2, 5 YEARS on Ct. 3 to run consecutively with LIFE sentences imposed on Cts. 1 & 2, for a total sentence of LIFE plus 5 YEARS. Supervised Release: 20 years. Special Condition of Supervised Release: (1) Deft. shall participate in a program approved by the U.S. Probation Office of urinalysis testing and, if necessary, treatment for alcohol or drug dependency as directed by the U.S. Probation Office. Mandatory Assessment Fee: \$150.00. Court waives fine, as well as any alternative sanctions. Also waives additional fine requiring Deft. to pay cost of imprisonment and/or supervision fee.	cal
Apr 24	95	BROWN	JUDGMENT filed.	cal
Apr 27	--	HANKERSON	CERTIFIED notice of appeal, docket entries, judgment, sent to CCA-11.	cal
Apr 27	--	BARKLEY	CERTIFIED notice of appeal, docket entries, judgment, sent to CCA-11.	cal
Apr 27	96	BROWN	NOTICE of Appeal from final judgment and conviction.	cal
Apr 28	--		CERTIFIED Notice of appeal, docket entries, judgment, sent to CCA-11.	cal
Apr 28	97	BARKLEY	AFFIDAVIT in Support of Motion to Proceed on Appeal IFP.	cal
Apr 30	98	WDO	ORDER(WDO) that Deft. BARKLEY's Motion to Proceed on Appeal IFP is GRANTED.	cal
May 1	--	BARKLEY	PRESENTENCE REPORT - Sealed	cal
May 1	--	BROWN	PRESENTENCE REPORT - Sealed	cal
May 4	--	HANKERSON	PRESENTENCE REPORT - Sealed	cal

**MASTER DOCKET**  
 U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD  
 BARKLEY, TROY LEE BROWN and CLEVELAND  
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UNITED STATES DISTRICT COURT  
 CRIMINAL DOCKET

CR-91-10-MAC(W)

AO 256A

DATE	PROCEEDINGS (continued)		(a)	(b)	(c)	(d)
	(Document No.)					
<u>1992</u>						
Jun 3	99 ALL DEFTS	TRANSCRIPT (3 Vol.) of Jury Trial held in Macon, GA, Dec. 9-11, 1991 before Judge Wilbur D. Owens, Jr. (Frances B. Roquemore, Ct. Reprtr.)				
Jun 8	100 ALL DEFTS	TRANSCRIPT (1 Vol.) of Pretrial Hearing held in Macon, GA on Nov. 15, 1991 before Judge Wilbur D. Owens, Jr. (Frances Roquemore, Ct. Reprtr.)	cal			
Jun 8	101 ALL DEFTS	TRANSCRIPT (1 Vol.) of Motion to Suppress Hrg. held in Macon, GA on December 3, 1991 before Judge Wilbur D. Owens, Jr. (Frances Roquemore, Ct. Reprtr.)	cal			
Jun 29	-- BARKLEY, BROWN, & HANKERSON (Ref. 92-8396)	CERTIFICATE of Readiness of Record on Appeal forwarded to CCA-11.	cal			
Oct 16	-- HANKERSON	RETURN on J & C - Deft. delivered to USP, Lompoc, CA 6/18/92	cal			
Oct 16	-- BARKLEY	RETURN on J & C - Deft. delivered to USP, Lompoc, CA 6/11/92	cal			
Oct 16	-- BROWN	RETURN on J & C - Deft. delivered to USP, Atlanta, GA on 5/14/92	cal			
Sep 23	-- CCA-11	ORDER that Deft. BROWN's Motion for Appt. of counsel is granted	cal			
Nov 16	102 GOVT	Motion under 5K, filed on behalf of Deft. COLBERT.	cal			
<u>1993</u>						
Feb 5	103 COLBERT	SENTENCING Memorandum.	cal			
Feb 11	-- COLBERT	SENTENCING Held.	cal			
Feb 11	-- COLBERT	SENTENCE: IMPRISONMENT 151 Months, Ct. 1, 120 Months, Ct. 2, 120 Months, Ct. 4 to run concurrently and 60 months on Ct. 3 to run consecutively to sentence imposed on Cts. 1,2 and 4 for a total of 211 Months; followed by 10 yrs. supvr. release. Mandatory assessment fee of \$200.00. Court waives fine, as well as alternative sanctions. Also waives additional fine requiring Deft. to pay cost of imprisonment and/or supervision fee.	cal			
Feb 23	104 COLBERT	JUDGMENT filed.	cal			

## MASTER DOCKET

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UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U.S. vsJAMES EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and CLEVELAND  
HANKERSON

CR-91-10-MAC(WD)

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DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a) (b) (c) (d)
	(Document No.)			
<u>1993</u>				
Jun 28	-- HANKERSON BARKLEY BROWN	CERTIFIED RECORD ON APPEAL forwarded to CCA-11 consisting of 1 Vol. of pleadings, 5 Vol. of transcripts, and 2 Vol. of exhibits.		cal
<u>1994</u>				
Mar 4	105 CCA-11 (92-8396)	MANDATE Affirming District Court Decision as to Defts. HANKERSON & BROWN only.		cal
Mar 4	-- WDO	ORDER(WDO) that this judgment, issued as mandate, is made the judgment and order of the District Court.		cal
May 3	106 CCA-11	MANDATE Affirming District Court Decision as to Deft. BARKLEY only.		cal
May 3	--- WDO (92-8396)	ORDER(WDO) that this judgment, issued as mandate, is made the judgment and order of the District Court.		cal
May 31	--- CCA-11	Letter from CCA-11 that Supreme Ct. has denied certiorari, as to Deft. HANKERSON.		cal
Oct 31	--- CCA-11	Letter from CCA-11 that Supreme Ct. has denied certiorari as to Deft. BROWN.		cal
<u>1995</u>				
Jan 19	107 BROWN HANKERSON	TRANSCRIPT (1 Vol.) of Sentencing Hrg. held before Judge Wilbur D. Owens, Jr., in Macon, GA on April 16, 1992 (Frances Roquemore, Ct. Reporter)		cal
<u>1996</u>				
Jul 5	108 BROWN	\$2255 MOTION to Vacate (5:96-cv-277-4-WDO)		cal
Jul 26	109 BARKLEY	TRANSCRIPT (1 Vol.) of Sentencing Hrg. held before Judge Owens in Macon, GA on Apr. 16, 1992 (Frances Roquemore, Ct. Reporter)		cal
Jul 31	110 WDO	ORDER that U.S. Attorney within 60 days file a response to Deft. BROWN's \$2255 Motion to Vacate (5:96-cv-277-4-WDO)		12

## MASTER DOCKET

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UNITED STATES DISTRICT COURT U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD  
CRIMINAL DOCKET BARKLEY, TROY LEE BROWN and CLEVELAND HANKERSON

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DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
<u>1996</u>				
Aug 6	111 ALL DEFTS	TRANSCRIPT (1 Vol.) of Voir Dire Examination of Jurors at Jury Trial held Dec. 9, 1991 before Judge Owens in Macon, GA (Frances Roquemore, Ct. Reporter)		
Nov 12	112 BROWN	MOTION for Summary Judgment and MOTION for an Evidentiary Hrg.		cal
Dec 6	113 GOVT	RESPONSE to Deft. BROWN's §2255 Motion to Vacate (5:96-cv- 277-4-WDO)		cal
<u>1997</u>				
Jan 3	114 BROWN	BRIEF in Opposition to (Tab #113) Response to Deft.'s §2255 Motion to Vacate (Tab #108)		cal
Jan 8	115 WDO	ORDER Denying Deft. BROWN's §2255 Motion to Vacate (5:96-cv-277-4-WDO)		cal
Jan 9	116 BROWN	JUDGMENT filed		cal
Jan 14	117 BROWN 97-8357	NOTICE Of Appeal from Order of the Court Denying Deft.'s §2255 Motion to Vacate (5:96-cv-277-4-WDO)		cal
Jan 15	-- BROWN	CERTIFIED Copy of Notice of Appeal, DOCKET ENTRIES, J & C and Order of the Court forwarded to CCA-11		cal
Jan 23	118 BROWN	IFP Affidavit to Proceed on Appeal		cal
Jan 24	119 WDO	ORDER Denying Deft. BROWN's IFP Affidavit to Proceed on Appeal (#117, 5:96-cv-277-4-WDO)		cal
Apr 28	120 HANKERSON	§2255 MOTION to Vacate (5:97-cv- 169-1-WDO)		cal
May 12	121 WDO	ORDER that U.S. Atty. within 60 days respond to Deft. HANKERSON's §2255 Motion to Vacate		cal
Jun 11	122 WDO	ORDER Denying Deft. BROWN's Certificate of Appealability		cal
Jun 17	123 BROWN	NOTICE of Appeal from (Tab #122) Order of Court Denying Deft.'s Certificate of Appealability		cal
Jun 19	-- BROWN	CERTIFIED Copy of Notice of Appeal forwarded to CCA-11		cal

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U.S. vs JAIMASTER DOCKET  
EDWARD COLBERT, JIMMY BERNARD  
BARKLEY, TROY LEE BROWN and CLEVELAND  
HANKERSON

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Yr. Docket No. D)

DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELA (a) (b) (c)
<u>1997</u>				
Jul 3	124 GOVT	RESPONSE to Deft. HANKERSON's (Tab #120) §2255 Motion to Vacate - 5:97-cv-169-1-WDO		cal
Jul 8	125 WDO	ORDER Denying Deft. HANKERSON's (Tab #120) §2255 Motion to Vacate		cal
Jul 8	126 HANKERSON	JUDGMENT filed		cal
Jul 9 (returned 9/17/97)	-- BROWN	ORIGINAL PAPERS forwarded to CCA-11 per your request		cal
Jul 28	127 HANKERSON	MOTION to Make Additional Findings of Facts and to Alter or Amend Judgment and to Conduct an Evidentiary Hearing Pursuant to Rule 52(b) and 59(e) of the Federal Rules of Civil Procedure		cal
Aug 5	128 WDO	ORDER Denying Deft. HANKERSON's (Tab #127) Motion		cal
Aug 22	129 HANKERSON 97-8936	NOTICE of Appeal from Order of the Court Denying Deft.'s §2255 Motion to Vacate (Tab #125)		cal
Aug 22	130 HANKERSON	APPLICATION for Certificate of Appealability		cal
* Sep 2	131 WDO	ORDER Denying Deft. HANKERSON's (Tab #130) Application for Certificate of Appealability		cal
*Aug 26	-- HANKERSON	CERTIFIED Copy of Notice of Appeal, Docket Entries forwarded to CCA-11 re: Tab #129 from Order of the Court Denying Deft.'s §2255 Motion to Vacate		cal
Sep 19	132 CCA-11	ORDER(CCA-11) that Appellant BROWN's Notice of Appeal, and his request for leave to proceed IFP are GRANTED with respect to the following issue only: Whether Brown should have been convicted under 18 U.S.C. §924(c) where the conviction was based solely on the actions of co- conspirators.		cal
Sep 19	-- BROWN	CERTIFICATE of READINESS of Record on Appeal forwarded to CCA-11 RE: 97-8051		cal
Nov 20	133 BROWN	§2255 MOTION to Vacate (5:97-cv- 694-4-WDO)		cal
Dec 1	134 WDO	ORDER Dismissing Deft. BROWN's §2255 Motion to Vacate (5:97-cv- 694-4-WDO)		cal
Dec 2	135 BROWN	JUDGMENT filed		cal

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKETMASTER DOCKET  
U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD BARKLEY,  
TROY LEE BROWN and CLEVELAND HANKERSON

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DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
	(Document No.)			
<u>1997</u>				
Dec 15	136 HANKERSON	MOTION to Proceed on Appeal IFP (RE: 97-8936)		cal
Dec 16	137 WDO	ORDER Denying Deft. HANKERSON's (Tab #136) Motion to Proceed on Appeal IFP (RE: 97-8936)		cal
<u>1998</u>				
Jan 20	-- BROWN	RECORD On Appeal forwarded to CCA- 11 consisting of 1 Vol. of Pleadings; 1 Vol. of Exhibits; 2 Brown-Tie folders and (1) PSI	cal	
Jan 26	138 CCA-11	ORDER(CCA-11) - Entry of Dismissal for failure of Deft. CLEVELAND HANKERSON to pay \$105.00 filing fee. RE: 97-8936		
Jan 26	-- WDO	This entry of dismissal, issued as mandate, is made the judgment and order of the U.S. District Court.		cal
Feb 13	-- HANKERSON	Appeal Fee paid - \$100.00, receipt #22681 - RE: 97-8936	cal	
Jun 29	139 BARKLEY	\$2255 Motion to Vacate (5:98-cv-209- 3-WDO)	cal	
Jun 29	140 BARKLEY	MOTION to File \$2255 Motion Under Seal	cal	
Jul 15	141 WDO	ORDER that AUSA shall file an answer to Deft. BARKLEY's \$2255 Motion to Vacate within 90 days from and after this date.		cal
Sept 9	142 BARKLEY	AMENDMENT to Deft.'s (Tab #139) \$2255 Motion to Vacate	cal	
Sep 21	143 GOVT	MOTION to Dismiss \$2255 Motion to Vacate	cal	
Oct 5	144 BARKLEY	MOTION for Extension of Time to Respond to Govt.'s Response to Deft.'s Motion to Vacate	cal	
Oct 13	145 BARKLEY	RESPONSE to Govt.'s Response to Deft.'s 2255 Motion to Vacate	cal	
Oct 13	146 WDO	ORDER granting Deft. BARKLEY's (Tab #144) Motion for Extension of Time to Respond to Govt.'s Response to Deft.'s Motion to Vacate through and including 5:00 p.m. November 16, 1998 to file said response	cal	

UNITED STATES DISTRICT COURT  
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MASTER DOCKET

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U.S. vs JAMES EDWARD COLBERT, JIMMY BERNARD BARKLEY,  
TROY LEE BROWN and CLEVELAND HANKERSON

CR-91-10-MAC(WL)

Yr. Docket No. De

DATE (Document No.)	PROCEEDINGS (continued)			V. EXCLUDABLE DELA (a) (b) (c) (d)
<u>1998</u>				
Nov 18	147 WDO	ORDER that that Govt.'s Motion to Dismiss Deft. BARKLEY's (Tab #143) 2255 Motion to Vacate is hereby denied and that the Govt. is Ordered to respond to Deft.'s Motion to Vacate (Tab #139) and Defendant's Amendment to Motion to Vacate (Tab #142) within 30 days.		cal
Nov 30	-- HANKERSON	ORIGINAL PAPERS forwarded to CCA-11 (RE: 97-8936) returned 4/20/99		cal
Dec 15	148 GOVT	RESPONSE to Deft. BARKLEY's (Tab #139) 2255 Motion to Vacate, Set Aside, or Correct Sentence		cal
Dec 28	149 BARKLEY	MOTION for Extension of Time to Respond to Govt.'s (Tab #148) Motion in Opposition to Deft.'s 2255 Motion to Vacate		cal
<u>1999</u>				
Jan 7	150 WDO	ORDER that Deft. BARKLEY's Request for Extension of Time is granted.		cal
Jan 25	151 BARKLEY	RESPONSE in Opposition to Govt.'s Response to Deft.'s \$2255 Motion to Vacate		cal
Mar 17	152 CCA-11	MANDATE Affirming District Court Decision - Deft. TROY BROWN		
Mar 18	--- WDO	ORDER - This judgment, issued as mandate, is made the judgment and order of the District Court.		cal
Apr 20	153 CCA-11	ORDER that Deft. HANKERSON's Motion to reinstate his appeal is denied. Appellant's notice of appeal construed as motion for a certificate of appealability is denied as moot.		cal
Jun 15	154 WDO	ORDER Denying Deft. BARKLEY's (Tab #139) \$2255 Motion to Vacate and Denying Deft.'s request for an Evidentiary Hrg.		cal
Jun 16	155 BARKLEY	JUDGMENT - \$2255 Motion to Vacate		cal
Jul 6	156 BARKLEY	NOTICE of Appeal from Order of Court Denying Deft.'s (Tab #154) 2255 Motion to Vacate (99-12258E)		cal
Jul 6	157 BARKLEY	MOTION for Certificate of Appealability		cal
Jul 15	158 WDO	ORDER Denying (Tab #157) Motion for Cert. of Appealability - Deft.		

UNITED STATES DISTRICT COURT U.S. vs. JAMES EDWARD COLBERT, JIMMY BERNARD BARKLEY,  
 CRIMINAL DOCKET TROY LEE BROWN and CLEVELAND HANKERSON CR-91-10-MAC(W)

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DATE	PROCEEDINGS (continued)			V. EXCLUDABLE DELAY (a)      (b)      (c)      (d)
	(Document No.)			
<b>1999</b>				
May 28	159 SUPREME CT.	ORDER Denying Writ of Certiorari - Deft. BROWN	cal	
Jul 26	160 HANKERSON	\$2255 MOTION to Vacate (5:99-cv-280-3-WDO)	cal cal	
Aug 5	161 WDO	ORDER Dismissing w/o Prejudice Deft. HANKERSON'S 2255 Motion (5:99-cv-280-3-WDO)		
Aug 5	162 HANKERSON	2255 JUDGMENT (5:99-cv-280-3-WDO)	np	
Aug 6	- BARKLEY	\$105.00 FILING FEE paid re: 2255 Appeal (Tab #156)	np	
Aug 24	163 HANKERSON 99-13194-E	NOTICE of Appeal from Order of Court (Tab #161) Dismissing Deft.'s \$2255 Motion to Vacate	cal	
Aug 30	-- HANKERSON	CERTIFIED Copy of Notice of Appeal, docket entries, J & C forwarded to CCA-11	cal	
Aug 30	-- BARKLEY returned 11/4/99	ORIGINAL PAPERS forwarded to CCA-11 per their request	cal	
Aug 23	164 BARKLEY	APPEAL Information form filed. All necessary transcripts on file	cal	
Sept 98	--- HANKERSON 99-13194-E	APPEAL FEE Paid \$105.00, Receipt #31235	cal	
Oct 18	165 HANKERSON	APPLICATION for Certificate of Appealability	cal	
Nov 4	166 CCA-11	ORDER Denying Deft. BARKLEY's Motion for a Certificate of Appealability.	cal	
Nov 8	-- WDO	ORDER - This order, issued in lieu of the mandate, is made the judgment and order of the U.S. District Court	cal	
Nov 29	167 WDO	ORDER Denying Deft. HANKERSON's Request for an Application for a Certificate of Appealability (Tab #165) (5:99-cv-280-3-WDOO)	cal	
Dec 22	-- HANKERSON	ORIGINAL PAPERS forwarded to CCA-11 per their request (returned 3/16/00)	cal cal cal	
<b>2000</b>				
Mar 15	168 CCA-11	ORDER - Appellant HANKERSON's Notice of Appeal (No. 99-13194-E) construes as a request for a Certificate of Appealability is hereby DENIED	cal	
Mar 17	168 DF	This order, issued in lieu of the mandate, is made the judgment and	cal	17

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UNITED STATES DISTRICT COURT  
 CRIMINAL DOCKET U. S. vs JA EDWARD COLBERT, JIMMY BERNARD MARKLEY,  
 TROY LEE BROWN and CLEVELAND HANKERSON

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Yr.	Docket No.	Def.
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DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
	(Document No.)		(a)	(b)	(c)	(d)
<u>2000</u>						
Aug 30	169 CCA-11	ORDER that Deft. HANKERSON's application to file a second or successive motion to vacate is hereby DENIED.	cal			

CERTIFICATE OF SERVICE

I, SHELLEY L. GRANT, do hereby certify that a true and exact copy of the foregoing Exhibits to Government's Response to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence has been served upon the defendant, CLEVELAND HANKERSON, Reg# 83507-020, USP-Lewisburg, Post Office Box 1000, Lewisburg, PA, 17837-1000, by first-class, United States mail on this 20th day of November, 2000.

By: *Shelley L. Grant*  
SHELLEY L. GRANT  
Paralegal Specialist